



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

October 28, 2010



LETTER OF CONCURRENCE

Mr. Jeffrey Araujo, Manager
NRG -Middletown Power LLC
PO Box 1001
1866 River Road
Middletown, CT 06457

RE: Application for Engineered Control Submittal, Part 1
Middletown Generation Station
1866 River Road, Middletown, CT 06457
EPA I.D. No. CTD000845230
Remediation Numbers: # 4374 for Property Transfer Program
7442 for RCRA Corrective Action Program

Dear Mr. Araujo:

The CTDEP staff has reviewed the report titled Conceptual Engineering Control Submittal and Application for Engineered Control Variance, Part 1 for the Middletown Generation Station site (Site). The documents were submitted on behalf of Middletown Power LLC by The Shaw Group Inc., Stoughton, MA (Shaw) in compliance with Section 22a-133k-2(f)(2) of the Remediation Standard Regulations (RSRs) to address polluted soils at the Site exceeding the Industrial/Commercial Direct Exposure Criteria (I/C DEC) and/or the GB Pollutant Mobility Criteria (PMC).

Use of Engineered Controls is proposed to limit potential exposure to soil and coal/coal ash that exhibits concentrations of polynuclear aromatic hydrocarbons (PAH), petroleum hydrocarbons (total and extractable – TPH and ETPH), and metals above the I/C DEC. In addition, the proposed controls include a low-permeability cover to address impact of soil contaminated in excess of GB PMC. Engineered controls are proposed for several Areas of Concern (AOC) at the Site, which include the former settling basins SB1 and SB2, miscellaneous residual coal and coal ash disposal areas, the former RCRA clean closed equalization basin, and the former fuel oil additive above ground storage tanks (AST) areas.

Specific engineering plans for each of the proposed engineered control areas will be included in Part 2 of the Application for Engineered Control Variance. The recording of an Environmental Land Use Restriction and associated monitoring and maintenance will be proposed in the future.

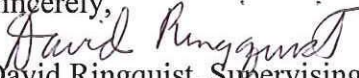
As provided by Section 22a-133k-2(f)(2)(A)(iv) of the RSR, the request of the variance is acceptable because (aa) the estimated cost of remediating of the polluted soil in the release areas is significantly greater than the estimated cost of installing and maintaining the engineered control for such soil, and (bb) that the significantly greater cost outweighs the risk to the environment and human health if the engineered control fails to prevent the mobilization of a substance in the soil or human exposure to such substance.

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In summary, CTDEP concurs with the conceptual engineered control approach as presented in the submitted documents. The Application, Part1 and report were prepared in accordance with the CTDEP's "Engineered Control Guidance Document, effective April 1, 2009".

The engineered control would be approvable pending submission of a complete Application for Engineered Control Variance, Part 2 within 120 days of receiving this letter.

If you have any questions pertaining to this matter, please contact Gene Shteynberg at (860) 424-3283.

Sincerely,

David Ringquist, Supervising Environmental Analyst
Remediation Division
Bureau of Water Protection and Land Reuse

cc: Andrew Walker, LEP, Shaw
Ed Keith, NRG (electronic)
Robert Spooner, Middletown Power (electronic)
Juan Perez, EPA New England (electronic)

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